

2. The lawsuit was originally filed in the Circuit Court of Maryland, Montgomery County on or about February 6, 2020. After the Plaintiffs added Federal Claims on January 15, 2021, Defendants removed the case to this Court (ECF 1).

3. In the months prior to removal, the Parties engaged in extensive discovery which was governed by a Confidentiality Order (ECF 1-47, ECF 1-80). In addition, several documents were filed under seal in the Circuit Court because the documents cited discovery designated as “Confidential” pursuant to the Confidentiality Order, referred to third party minors, or discussed confidential education, personnel, and medical records (ECF 1-171, 1-172, 1-185, 1-186, 1-201, 1-210, 1-213, 1-235, ECF 4-1 to 4-8). Copies of these documents were filed with the Notice of Removal pursuant to Local Rule 103.5(a), along with a Motion to Seal on February 12, 2021 (ECF 5).

4. Pursuant to Local Rule 103.5(a), Defendants have filed a certified copy of the State Court record (ECF 19-1). The record certified by the Circuit Court for Montgomery County, Maryland includes the sealed documents. Therefore, the certified record should be sealed.

5. There is no prejudice suffered by any Party by granting this Motion and no mechanism short of sealing will protect the Parties’ interests.

WHEREFORE, Defendants Board of Education, Sullivan, Crouse, Wallich and Colbert respectfully request that this Court grant this Motion to Seal the State Court Record and ECF 19-1 through ECF 19-8 be ordered to be filed under seal with the Court, and to grant such further relief as this Court deems proper.

Respectfully submitted,

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